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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,378	09/30/2003	Peter Schwarze	13914-023001 / 2003P00069	3243
32864	7590	12/05/2007	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			DUNHAM, JASON B	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/676,378	<b>Applicant(s)</b> SCHWARZE ET AL.	
	<b>Examiner</b> Jason B. Dunham	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/9/07, 10/2/07</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant amended claims 1, 15, and 29 in the response filed October 2, 2007 in reply to the office action dated April 2, 2007.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-3, 6-8, 15-17, 20-22, 29-31, and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheyer (US 2003/0046201).**

Referring to claim 1. Cheyer discloses a method of importing supplier information for use by a purchasing computing system, the method comprising:

- Establishing communication by a purchasing computing system with an external service provider that includes a directory (Cheyer: abstract and paragraphs 9-10 and 25);
- Sending a request from the purchasing computing system and to the external service provider, the request identifying a user selected one of the suppliers included in the directory (Cheyer: paragraphs 10 and 36);

- Receiving a response from the external service provider and at the purchasing computing system, the response including information relating to the selected supplier (Cheyer: paragraphs 10 and 36);
- Parsing the information in the received response (Cheyer: paragraph 38). The examiner notes that Cheyer information from external business partners are published to a directory by mapping (or parsing) and then normalizing the information.
- Creating, using the information parsed from the response, a new business partner entry for the selected supplier in a directory that is usable by the purchasing computing system (Cheyer: paragraph 38).

Referring to claim 2. Cheyer further discloses a method wherein the response comprises information in a format compliant with a partner interface protocol (Cheyer: paragraph 14). Cheyer discloses responses and interaction across number protocols, which by definition must be compliant with each other.

Referring to claim 3. Cheyer further discloses a method wherein said creating comprises mapping the parsed information into fields according to the partner interface protocol (Cheyer: figure 1 and paragraphs 9-10, 14, and 38).

Referring to claims 6-8. Cheyer further discloses a method wherein comprising:

- Prior to said establishing communication with the server, initiating a business process which requires a business partner (Cheyer: figure 4).
- Completing the business process with the new business partner entry (Cheyer: figure 4).

- Generating a purchase order using the new business partner entry (Cheyer: paragraph 25). Cheyer discloses completing transactions among partners.

Referring to claims 15-17, 20-22, 29-31, and 34-36. Claims 15-17, 20-22, 29-31, and 34-36 are rejected under the same rationale set forth above as Cheyer discloses systems and mediums for enabling the method claims 1-3 and 6-8.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4-5, 18-19, and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheyer (US 2003/0046201) in view of Schwarzhoff (US 6,591,260).**

Referring to claims 4-5, 18-19, and 32-33. Cheyer discloses all of the above as noted under the 102(e) rejection but does not expressly disclose a response comprising an html or xml page. Cheyer does disclose partners disclosing their home page URL. Schwarzhoff discloses a method of sending responses between partners comprising html or xml pages (Schwarzhoff: abstract and column 4, lines 16-39). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Cheyer to have included responses

comprising an html or xml page, as taught by Schwarzhoff, in order facilitate transactions in the marketplace (Schwarzhoff: column 4, lines 16-23). Claims 18-19 and 32-33 are rejected under the same rationale.

**Claims 9-14, 23-28, and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheyer (US 2003/0046201) in view of Stone (US 2002/0107889).**

Referring to claims 9-14, 23-28, and 37-42. Cheyer discloses all of the above as noted under the 102(e) rejection but does not expressly disclose flagging documents while determining authority. Cheyer does disclose parties to transactions being required to prove that they are authorized to perform transactions in the electronic marketplace (Cheyer: paragraph 3). Stone discloses a method comprising:

- Determining whether the user has authority to approve the new business partner entry (Stone: abstract and paragraph 49).
- Flagging the new business partner entry as incomplete in response to determining the user does not have said authority (Stone: paragraphs 34 and 45-49). The examiner notes that Stone discloses directing reports to persons who have the proper authority.
- Generating a purchasing document with said new business partner entry and flagging the purchase document as on hold (Stone: figure 1 and paragraph 54). The purchase document would be on hold till the proper person with authority authorizes the order.

- Determining an authorized approver for the new business partner entry (Stone: abstract and paragraph 49).
- Generating an approval workflow item for the authorized approver (Stone: figure 3 and paragraph 52).
- Deleting the new business partner entry from the internal directory in response to the authorized approver not approving the new business partner entry (Stone: paragraphs 34 and 46). Stone discloses flagging non-removable attributes, it would have been obvious to allow authorized approvers (such as the head of purchasing in paragraph 54) to delete removable entries.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Cheyer to have included flagging documents while determining authority, as taught by Stone, in order to determine access authorization and routing information for data transmitted from partners (Stone: paragraphs 23 and 29). Claims 23-28 and 37-42 are rejected under the same rationale set forth above.

### ***Response to Arguments***

Applicant's arguments filed October 2, 2007 have been fully considered but they are not persuasive. Applicant argues that Cheyer does not disclose the limitations of claim 1, specifically that Cheyer does not disclose a request that identifies a user selected supplier included in the a directory of an external service provider and no receipt of response including information relating to the selected supplier. The

examiner disagrees. Cheyer clearly allows a user to search for and select service providers (see at least paragraph 36: "While designing a process flow, the business analyst use service select wizard 310 to specify requirements for how the appropriate service provider should be selected to accomplish a task in the process flow....After supplying this information to advisor 308, a list of recommended providers, ranked in order of suitability, is displayed through the service select wizard 310.....the user may select a preferred provider at design time." Furthermore, figure 5 of Cheyer discloses a service provider logging onto the application to search for suppliers, clearly the external system of Cheyer anticipates the applicant's directory. Applicant further argues that Cheyer does not disclose creation of a new business partner entry. The examiner submits that the process described in figure 5 of Cheyer allows for creation of a new business partner entry by registering and adding descriptive material regarding the business.

Lastly, applicant's general allegation that an ontology based service directory has no applicability to method claim 1 is unpersuasive. The applicant provides no rationale why the disclosure of Cheyer would fail to teach the limitations of the claimed invention. The applicant is reminded that recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Similar independent claims 15 and 29 as well as their respective dependent claims are rejected under the same rationale set forth above regarding claim 1.



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason B. Dunham whose telephone number is 571-272-8109. The examiner can normally be reached on M-F, 8-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD  
Patent Examiner  
12/3/07

  
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